

**STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

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**ACTING EXECUTIVE DIRECTOR
Bernadette M. Matthews**

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**NOTICE OF REQUEST FOR
PUBLIC COMMENT**

Public Act 102-0668, which became effective November 15, 2021, amended several provisions of Article 9 of the Election Code, Disclosure and Regulation of Campaign Contributions and Expenditures, 10 ILCS 5/9-1 *et seq.* The State Board of Elections plans to implement the amendments to Article 9 by proposing new rulemaking, which will include a revised civil penalty assessment formula for violations of Section 9-10 of the Election Code, 10 ILCS 5/9-10. A draft of that formula is attached as Exhibit A.

Written comments on Exhibit A, or other potential changes to Parts 100 and 125 of Title 26 of the Illinois Administrative Code, 26 Ill. Adm. Code 100.10 *et seq.*, 125.5 *et seq.*, related to the implementation of Public Act 102-0668, may be submitted by email to publiccomment@elections.il.gov or mailed to the Board's Springfield Office at 2329 S. MacArthur Blvd., Springfield, IL 62704. Comments received on or before Monday, January 10, 2022, will be considered in drafting proposed rules for Board deliberation.

Please note that this is an informal public comment period not mandated by law. After this informal period, the Board will approve new draft rulemaking and file it with the Secretary of State. When the proposed rulemaking is published in the Illinois Register, two formal public comment periods will be held pursuant to Article 5 of the Administrative Procedure Act, 5 ILCS 100/5-5 *et seq.*

DATED: December 29, 2021



Bernadette M. Matthews, Acting Executive Director

EXHIBIT A

Proposed Fine Structure:

(Same fine calculations for Quarterly Reports, A-1s and B-1s; no more automatic A-1 % reductions.)

If the committee's Total Receipts, Total Expenditures and Ending Balance are each \$10,000 or less:

1 st violation	\$10/day	\$250 maximum	(25 days to max)
2 nd violation	\$25/day	\$500 maximum	(20 days to max)
3 rd violation	\$50/day	\$1,000 maximum	(20 days to max)
4 th + violations	\$75/day	\$1,500 maximum	(20 days to max)

If any one of Total Receipts, Total Expenditures or Ending Balance exceeds \$10,000:

1 st violation	\$20/day	\$500 maximum	(25 days to max)
2 nd violation	\$50/day	\$1,000 maximum	(20 days to max)
3 rd violation	\$100/day	\$2,000 maximum	(20 days to max)
4 th + violations	\$150/day	\$3,000 maximum	(20 days to max)

Current Fine Structure:

If the committee's Total Receipts, Total Expenditures and Ending Balance are each \$5,000 or less:

1 st violation	\$25/day	\$5,000 maximum	(200 days to max)
2 nd violation	\$50/day	\$5,000 maximum	(100 days to max)
3 rd + violations	\$75/day	\$5,000 maximum	(67 days to max)

If any one of Total Receipts, Total Expenditures or Ending Balance exceeds \$5,000:

1 st violation	\$50/day	\$5,000 maximum	(100 days to max)
2 nd violation	\$100/day	\$5,000 maximum	(50 days to max)
3 rd + violations	\$200/day	\$5,000 maximum	(25 days to max)

A-1s assessed at 50% of contribution amount, automatically reduced to 10% of assessment for 1st violations, 50% of assessment for 2nd violations, remain at 100% of assessment for 3rd+ violations; all violations within a single quarter assessed at the same level (1st, 2nd, 3rd). (Assessments based solely on the amount of the contribution(s), not on committee's receipts, expenditures or balance.)